

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DEVIN KEYS,	:	CIVIL ACTION
Plaintiff	:	
	:	
v.	:	NO. 10-2644
	:	
PHILADELPHIA PRISON	:	
SYSTEM, et al.,	:	
Defendant	:	

ORDER

AND NOW, this 2nd day of December, 2010, upon careful and independent consideration of the defendants' unopposed motion to dismiss (Document #7), and after review of the Report and Recommendation of United States Magistrate Judge Linda K. Caracappa, there being no objections thereto, it is hereby ORDERED that:

- (1) The Report and Recommendation is APPROVED and ADOPTED.
- (2) The defendants' motion to dismiss (Document #7) is GRANTED.
- (3) There is no probable cause to issue a certificate of appealability.

The Clerk of Court is directed to mark this case CLOSED for all purposes.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.